

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROBERT MARK WAGGY,

Defendant.

No. 2:16-PO-198-JTR

ORDER GRANTING IN PART
MOTION TO MODIFY
CONDITIONS OF RELEASE
AND STRIKING HEARING

Before the Court is Defendant's Motion to Modify Release Conditions, ECF No. 28. Defendant seeks to modify his conditions of release to be able to have contact with Mr. John Johnson at the VA, temporarily until his normal point of contact, Ms. Julie Summerlin, returns to the office. The United States filed a Response on January 5, 2017, stating it has no objection to Defendant's request. In addition, the U.S. Probation Office has no objection to Defendant's request. Accordingly,

IT IS ORDERED:

1. Defendant's Motion to Modify Release Conditions, **ECF No. 28**, is **GRANTED, in part**.

2. Defendant no longer shall be subject to Release Condition #27, which requires him to undergo random prohibited substance testing.

3. Defendant's request to eliminate Release Condition #28, which requires him to participate in GPS monitoring, is **DENIED, with leave to renew**.

4. Release Condition #31 is **modified** as follows:

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2 (31) **Other:** Contact with the Veterans Administration shall be through Ms.
3 Summerlin, exclusively, **or through Mr. John Johnson, in the event**
4 **Ms. Summerlin is unavailable.**

5 5. The hearing set for January 10, 2017, is **stricken.**

6 DATED January 6, 2017.



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JOHN T. RODGERS
UNITED STATES MAGISTRATE JUDGE